

Rene L. Valladares
Federal Public Defender
Nevada State Bar No. 11479
*Ryan Norwood
Assistant Federal Public Defender
New Hampshire Bar #15604
411 E. Bonneville Ave., Ste. 250
Las Vegas, Nevada 89101
(702) 388-6577
Ryan_Norwood@fd.org
*Amelia Bizzaro
Assistant Federal Public Defender
Wisconsin State Bar No. 1045709
411 E. Bonneville Ave., Ste. 250
Las Vegas, Nevada 89101
(702) 388-6577
Amelia_Bizzaro@fd.org
*Attorneys for Petitioner James Davis

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

James Anthony Davis,

Plaintiff,

Case No. 2:22-cv-01796-RFB-DJA

V.

Michael Minev, *et al.*

Defendants.

Seventh Stipulation for Revised Scheduling Order

Pursuant to FRCP 16(b)(4) and Local Rule 26-2, the parties stipulate and agree to modify/extend the Scheduling Order (ECF No. 74) and respectfully request the Court approve the proposed schedule, set forth herein. This is the seventh stipulation for the extension of these deadlines. This request is submitted at least twenty-one (21) days or more before the close of discovery (July 30, 2025) is made in good faith, and is supported by good cause.

1 STATEMENT OF FACTS IN SUPPORT OF STIPULATION

2 On May 8, 2024, the Court approved the parties' stipulation for a discovery
3 schedule. Shortly thereafter, Plaintiff's counsel diligently began discovery, making
4 an initial disclosure and serving a request for production (RFP) on May 17, 2024 for
5 a number of documents from NDOC, including Mr. Davis's medical records.

6 As previously noted, the discovery production in this case is particularly large,
7 so far encompassing over 3,000 pages of documents. Plaintiff's counsel, after agreeing
8 to an extension of the production deadline sought by Defendants, did not receive an
9 initial disclosure until June 21, and received subsequent disclosures on July 1, July
10 11, and August 1, 2024. Plaintiff's counsel has required significant time to organize
11 and review these records, so that he can determine what other discovery is needed to
12 fully develop the claims in this case. Counsel's preparations have been complicated
13 by the fact that Mr. Davis has been brought back into the Nevada Department of
14 Corrections because of an alleged parole violation, which has complicated attorney-
15 client communications and raises additional concerns about his medical care. Mr.
16 Davis has filed requests for injunctive relief (ECF 66, 67) which the Court heard on
17 April 8, 2025 and set for a follow-up hearing in June. These circumstances have
18 justified prior stipulations to extend the discovery periods.

19 Nonetheless the parties have proceeded with discovery. Plaintiff's counsel had
20 conducted a Rule 30(b)(6) deposition on November 15, 2024. Mr. Davis has also
21 submitted a request for production of updated medical records, for which he just
22 received a response on April 25, 2025, consisting of hundreds of pages of new records.
23 Most recently, the parties have scheduled a deposition for Defendant Seymour
24 Omandac for June 5, 2025.

25 Counsel for Mr. Davis had contracted with a medical expert whom he expected
26 to be able to consult with and potentially notice as an expert by the current deadline

1 of May 29, 2025. However, that expert unexpectedly and abruptly informed counsel
2 just this week that they would be unable to work on the case. Notwithstanding their
3 diligence, counsel for Mr. Davis will accordingly require additional time to consult
4 with and potentially notice an expert as part of discovery in this case.

5 Having conferred, the parties agree that more time is needed to conduct
6 discovery in light of all of these circumstances. It is also possible that Mr. Davis's
7 medical appointments concerning his prostate and breast lump may clarify some
8 matters about his claims and the need for further discovery and experts. Counsel
9 understands that Mr. Davis has recently undergone a mammogram, for which he has
10 yet to receive records. Mr. Davis is still awaiting a follow-up appointment with his
11 urologist, which is expected to take place in June.

12 The parties accordingly ask for a sixty (60) day extension of the current deadlines.

- 13 • The parties may engage in discovery until September 29, 2025;
- 14 • Expert disclosures must be made on or before July 28, 2025, and
15 disclosures of rebuttal experts must be made on or before August 27,
16 2025.
- 17 • Dispositive Motions: that they be filed and served no later than October
18 29, 2025;
- 19 • Joint Pretrial Order: that it be due on November 28, 2025. If dispositive
20 motions are filed, the deadline for filing the joint pretrial order will be
21 suspended until 30 days after decision on the dispositive motions or
22 further court order.

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CONCLUSION

Based on the foregoing and for good cause appearing, the Parties respectfully request that the Court approve their Stipulation and alter the discovery deadlines as set forth above.

Dated May 29, 2025

Aaron D. Ford
Attorney General

/s/ Kyle L. Hill
Kyle L. Hill
Deputy Attorney General

Rene L. Valladares
Federal Public Defender

/s/ Ryan Norwood
Ryan Norwood
Assistant Federal Public Defender

IT IS SO ORDERED:


Daniel J. Albregts
United States Magistrate Judge

DATED: 5/30/2025